

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 93-573-W - ORDER NO. 93-869 ✓  
SEPTEMBER 15, 1993

IN RE: DHEC Surcharge

)ORDER  
)ON DHEC  
)SURCHARGE

This matter comes before the Public Service Commission of South Carolina (the Commission) on a discussion of S.C. Code Ann. §44-55-120 (1976 as amended), passed by the South Carolina General Assembly in the 1993 Legislative year. This bill authorizes the Department of Health and Environmental Control (DHEC) to levy a surcharge on water utilities for water testing (a safe drinking water fee). Under this new law, DHEC bills the utilities annually, in advance. The question has arisen as to possible termination of service if customers are billed annually in advance by the utilities to recoup these monies, and the customers do not pay the charge.

The Commission notes that in §44-55-120 (E), the General Assembly states that a water system may increase water rates to customers by an amount necessary to recover the cost of the safe drinking water fee without seeking approval of this Commission. However, the Commission also notes that it retains certain powers to prevent regulated utilities from terminating service to a

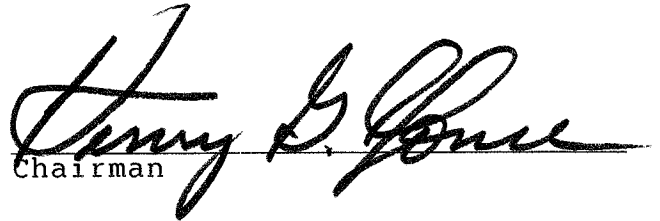
present or prospective customer. It is this Commission's holding that a customer should not be terminated for nonpayment of this charge, if a customer pays 1/12 of the annual bill for this fee per month. Therefore, we believe that although a regulated utility may bill a customer on an annual basis, a utility cannot terminate service if the customer chooses not to pay on an annual basis. We do hold that a customer should have the ability to pay 1/12 of the annual fee to the company, even when billed on an annual basis, and that a regulated water utility should not be allowed to terminate service if a customer pays regularly on a monthly basis a 1/12 portion of the annual fee.

IT IS THEREFORE ORDERED THAT:

1. A Company cannot terminate service if a customer chooses not to pay charges for a safe drinking water fee on an annual basis.
2. Customers may pay 1/12 of the annual fee per month, even if billed on an annual basis, without being subjected to termination of service if, indeed, the fees are kept current on a monthly basis.

3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)